IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
CHAMBER SUMMONS NO. 591 OF 2005
IN
SUIT NO. 3598 OF 2003

Mr. M.N. Dastur & Company
(P) Ltd. ... Plaintiffs

Versus

UTI Asset Management Company
Pvt. Ltd. and Ors. ... Defendants

Mr. Mihir Kamdar i/by Udwadia & Udeshi for Plaintiff.
Mr. Tushar Bhavsar i/by Shukla & Shukla for Defendant/Applicant.

CORAM : A.M. KHANWILKAR,J.
DATED : JUNE 13, 2005

P.C.

. Heard counsel for the parties. Although plaintiff has been served long back, no reply has been filed opposing this application. The counsel for the Plaintiff however, contends that no sufficient cause has been made out. However, as no reply has been filed controverting the assertions made in the affidavit in support of chamber summons, the averments have remained uncontroverted. For the said reasons, in my opinion, the chamber summons deserves to be allowed in terms of Prayer Clause (a) and (b) on a condition that defendant shall pay cost of Rs.5,000/- to be paid to Plaintiff within one week from today.

(A.M. KHANWILKAR,J.)